The fluidextract of ipecac was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, and purity as determined by the test laid down in said pharmacopoeia, official at the time of investigation, since 100 cubic centimeters of the article yielded less than 1.8 grams; i. e., more than 1.60 grams of the ether-soluble alkaloids of ipecac; whereas the said formulary provides that fluidextract of ipecac shall yield from each 100 cubic centimeters not less than 1.8 grams of ether-soluble alkaloids of ipecac, and the standard of strength, quality, and purity of the article was not declared on the container thereof.

On April 29, 1938, the date set for the trial, the trustee of the defendant having announced that the action would not be contested, the United States attorney was granted leave to proceed. The defendant was adjudged guilty and was sentenced to pay a fine of $50.

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29000. Adulteration and misbranding of Jen-Sal P-T Hormone and Jen-Sal Pituitary Extract. U. S. v. Jensen-Salsbery Laboratories, Inc. Plea of nolo contendere. Fine, $100 and costs. (F. & D. No. 39835. Sample Nos. 41541–C, 41544–C.)

Both of these veterinary products fell below the professed standard under which they were sold. The P–T Hormone fell below the standard laid down in the United States Pharmacopoeia, and its label bore false and fraudulent curative and therapeutic claims.

On February 18, 1938, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Jensen-Salsbery Laboratories, Inc., Kansas City, Mo., alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about May 22, 1937, from the State of Missouri into the State of Nebraska of a quantity of Jen-Sal P–T Hormone and Pituitary Extract which were adulterated and misbranded.

The P–T Hormone was alleged to be adulterated in that the article was denominated in a catalog by a name recognized in the United States Pharmacopoeia, eleventh edition, "Parathyroid Extract," and was offered for sale under the said name; that the standard of strength, quality, and purity of parathyroid extract, as determined by the test laid down in the said edition of the pharmacopoeia, which edition was official at the time of investigation, required that 1 cubic centimeter of parathyroid extract should possess a potency equivalent to not less than 80 parathyroid units and not more than 120 parathyroid units, and that each of such units should represent one-hundredth of the amount required to raise the calcium level of 100 cubic centimeters of the blood serum of normal dogs 0.001 gram, within from 16 to 18 hours after administration; and that the said article was without effect on the blood serum of normal dogs when injected in them pursuant to the tests for parathyroid extract laid down in the said edition of the said pharmacopoeia; and that the article differed from the standard of strength, quality, and purity as determined by the said test. It was alleged to be adulterated further in that the statement borne on the label, "A Standardized Aqueous Extract of the active principle or principles of the Parathyroid Glands of the Ox," and the statements set out in the catalog, "Parathyroid Extract P–T Hormone is the standardized aqueous extract of the active principle or principles of the Parathyroid Glands of the ox," were professions of the standard and quality under which the article was sold, i. e., that its standard and quality were those of the extract as prescribed in the United States Pharmacopoeia; whereas the article was not such standardized aqueous extract nor was it parathyroid extract of the standard and quality so stated and prescribed; but was an article whose strength and purity fell below the professed standard and quality under which it was sold.

The article was alleged to be misbranded in that the statements borne on the label, "A Standardized Aqueous Extract of the active principle or principles of the Parathyroid Glands of the Ox and suitable for increasing the Blood Serum Calcium. Dosage: Large animals—10 c. c. intramuscularly. Small animals—½ to 2 c. c. intramuscularly," were representations that it was of the standard and quality of parathyroid extract as determined by the test laid down in the United States Pharmacopoeia and said statements were severally false and misleading. It was alleged to be misbranded further in that the statements, "A Standardized Aqueous Extract of the active principle

or principles of the Parathyroid Glands of the Ox and suitable for relieving Parathyroid Tetany or increasing the Blood Serum Calcium. Dosage: Large animals—10 c. c. intramuscularly. Small animals—½ to 2 c. c. intramuscularly," were false and fraudulent in that it was not capable of relieving parathyroid tetany or of increasing the blood serum calcium when used or administered in pursuance to the said dosage directions, nor was it so capable when used or administered pursuant to any dosage directions whatever.

The pituitary extract was alleged to be adulterated in that the statement "Pituitary Extract (Triple Strength U. S. P. X)" was a profession of the standard and quality under which the article was sold, i. e., that its potency was thrice that of the solution of pituitary of the standard prescribed in the United States Pharmacopoeia, tenth edition; whereas its potency was not more than 40 percent of the potency of the said solution of the said standard, and its strength and purity fell below the professed standard and quality under which it was sold.

The pituitary extract was alleged to be misbranded in that the statement "Pituitary Extract (Triple Strength U. S. P. X)" borne on the label, was false and misleading.

On April 26, 1938, a plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of $100 and costs.

HARRY L. BROWN, *Acting Secretary of Agriculture.*